

REMARKS

Claims 1-14 are currently pending. Applicant respectfully requests reconsideration of the application. Independent claims 1 and 7 have been amended for stylistic purposes without changing the scope of those claims.

Claim Rejection – 35 U.S.C. §102(b)

Claims 1-12 have been rejected under 35 U.S.C. §102(b) as being allegedly anticipated by *Sugawara* (U.S. Publication No. 2002/0019848 A1). This rejection is respectfully traversed.

Sugawara discloses a system for communicating email/images. The Office Action indicates that *Sugawara* teaches issuing a transmission management report at predetermined timings. For this it cites Figure 4 and paragraph [0089]. However, Figure 4 and paragraph [0089] have nothing to do with issuing a transmission management report, it merely describes a process of updating management information. See paragraph [0099]. It does not appear to describe issuing a report, or issuing a report at predetermined timings. In fact, there does not appear to be any teaching in *Sugawara* that reports are issued at predetermined timings. *Sugawara* is silent as to when management reports are issued, i.e., it fails to teach or suggest a mechanism that triggers the issuance of each management report.

In contrast, the claims at issue define issuing a transmission management report at predetermined timings. Accordingly, claims 1 and 7 are patentable over *Sugawara*. In the event that the Examiner persists with the present rejection, the Examiner is respectfully requested to explain how the cited portions of *Sugawara* teach issuing a transmission management report at predetermined timings.

To further define the protection to which Applicant is entitled, new claims 13 and 14 have been added, and which respectively recite "wherein the transmission management report is issued when the number of transmissions on which the result of transmission is uncertain reaches a predetermined value" and "said step of issuing a transmission management report being performed when the number of transmissions on which the result of transmission is uncertain reaches a predetermined value." Support for the new claims can be found in the paragraph [0024] of the publication U.S. 2004/0042043 A1.

Claims 2-6 and 8-14 depend from independent claims 1 and 7, rendering them also patentable for at least the same reasons.

Conclusion

Based on the reasons as set forth above, Applicant respectfully requests allowance of all pending claims.

In the event that there are any questions concerning this response, or the application in general, the Examiner is respectfully urged to telephone Applicant's undersigned representative at the number set out below so that prosecution of the application may be expedited.

Respectfully submitted,

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